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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Roanoke Division

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ELMO AUGUSTUS REID,

Plaintiff,

vs.

Civil Action No.  
7:16-cv-00547

MARK AMONETTE, et al.,

Defendants.

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DEPOSITION OF MARK S. AMONETTE, M.D.

May 1, 2018

9:28 a.m. - 4:47 p.m.

Richmond, Virginia

Job No. 36609

REPORTED BY: LORI A. BOEDING, CCR

1       antiviral medications?

2           A       Well, I think the best answer is we have a  
3       Memorandum of Agreement with them, so, I mean, the  
4       process has sort of been worked out. I mean, there's  
5       no approval process for each individual patient.

6           Q       How do you know how much money the  
7       Department of Corrections can spend a year on  
8       Hepatitis C medications?

9           A       There's no budget. There's no ceiling.

10          Q       Do you know how many inmates have been  
11       treated at VCU since the DAA therapy treatment  
12       started?

13                   You did your homework.

14          A       Well, I know I had this sheet, and I  
15       thought I would probably be asked.

16                   So far -- and I got these figures a couple  
17       of weeks ago -- 362 had completed treatment. Another  
18       36 are currently on treatment. That, of course, may  
19       have changed. There's 105, I guess, pending  
20       appointments.

21          Q       So 362 inmates have completed treatment  
22       since 2015?

23          A       Yes. Since middle of 2015.

24          Q       And do you know what the cure rate for  
25       those 362 is?

1 apologize.

2 MR. FISHWICK: 5/22/2015 at 1:16 p.m.

3 MS. MULDOWNNEY: On 68?

4 MR. FISHWICK: Yeah.

5 MS. MULDOWNNEY: Oh, right here. I'm sorry.

6 Pardon me. Thank you.

7 THE WITNESS: So what's your question?

8 BY MR. FISHWICK:

9 Q Why were you asking about the cost of the  
10 FibroScan?

11 A Well, just to know. Just for my knowledge.

12 Q But I thought cost didn't matter? Why were  
13 you asking about it?

14 MS. MULDOWNNEY: Object to the form.

15 THE WITNESS: Well, I mean, even though we  
16 didn't have a ceiling, even though cost wasn't a  
17 factor in deciding treatment or numbers, I just  
18 wanted to know. I mean, it was not for any  
19 reason other than my knowledge.

20 BY MR. FISHWICK:

21 Q Has somebody told you there's no cost  
22 ceiling at DOC?

23 MS. MULDOWNNEY: Object to the form.

24 You may answer.

25 THE WITNESS: I don't know that anybody's

1 BY MR. FISHWICK:

2 Q All right. So you have a study that -- Why  
3 not treat them now if money is not an option?

4 MS. MULDOWNNEY: Object to form.

5 THE WITNESS: Right now we are still  
6 treating people with more advanced disease with a  
7 waiting list.

8 BY MR. FISHWICK:

9 Q So is the holdup because VCU can't -- Is  
10 the hold up money, or is the holdup VCU can't take but  
11 so many patients at a time?

12 MS. MULDOWNNEY: Objection to the form.

13 MS. HAYNES: Objection to the form.

14 THE WITNESS: The holdup is not money.  
15 There's never been a ceiling on the budget.

16 BY MR. FISHWICK:

17 Q So why don't you treat the F2s today?

18 A I would say the holdup would be room in the  
19 clinic.

20 Q So F2s, you think, should be treated?

21 A I think it would be reasonable to move to  
22 F2s once we do not have a waiting list for F3s and F4s  
23 to be treated.

24 Q Well, then why not just -- why not have the  
25 clinic go, instead of three half days, go every day

1           A       Right. There were 105 on that list that  
2       were pending treatment.

3           Q       Right. And is that -- In other words, is  
4       the reason you haven't completed the F3s and you  
5       haven't completed the F4s and you haven't gotten to  
6       the F2s is because -- is that money driven or is that  
7       because the telemedicine clinic is just not getting to  
8       the people?

9           A       Well, again, it's not money driven. So it  
10       would be -- I would have to say it's due to the space  
11       in the clinic.

12          Q       All right. But the only -- The budget  
13       request, when you made the budget request to the  
14       general assembly that you now told us that you did  
15       help with, that was knowing that you were going to try  
16       to get the VCU clinic?

17                   MS. MULDOWNNEY: Object to the form.

18                   MS. HAYNES: Join the objection.

19           THE WITNESS: I don't -- I don't know how  
20       to connect those two. I mean, I don't really  
21       know the ins and outs of going to the state  
22       legislature and presenting budget information. I  
23       guess, by 2014, we knew we were working with VCU  
24       to come up with an agreement. I don't remember  
25       what time of year that presentation was made to

1 COMMONWEALTH OF VIRGINIA AT LARGE, to wit:

2 I, Lori A. Boeding, CCR, Notary Public in  
3 and for the Commonwealth of Virginia at Large, and  
4 whose commission expires August 31, 2020, do  
5 certify that the aforementioned appeared before me,  
6 was sworn by me, and was thereupon examined by  
7 counsel; and that the foregoing is a true, correct,  
8 and full transcript of the testimony adduced.

9 I further certify that I am neither related to  
10 nor associated with any counsel or party to this  
11 proceeding, nor otherwise interested in the event  
12 thereof.

13 Given under my hand and notarial seal at  
14 Richmond, Virginia, this 17th day of May 2018.

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Lori A. Boeding, CCR

20 Notary Public Registration No. 239861

21 Commonwealth of Virginia at Large

22

23

24 Job No. 36609

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